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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,471	11/28/2001	Nevenka Dimitrova	US 010606	2298

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P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

LANEAU, RONALD

ART UNIT PAPER NUMBER

3627

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/995,471

Applicant(s)

DIMITROVA ET AL.

Examiner

Ronald Laneau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-26 and 28-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-26, 28-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

1. In view of the Appeal Brief received on 10/28/05, prosecution is hereby reopened.

Claims 1-39 remain pending in the application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-15, 17-26 and 28-39 are rejected under 35 U.S.C. 103(a) as being obvious over Wactlar, et al. (5,835,667) in view of Thomas (US 2003/0093794 A1).

Wactlar discloses an information tracker (Abstract, Fig. 1; cols. 4-5, lines 30-35) that contains a content analyzer with a memory that stores content data received from information of machine-sources (video signals, cable and satellite television, audio and radio) and a set of machine-readable instructions for analyzing the content data according to query criteria (Figs. 1-2 and cols. 4-7 and 11-12); an input device communicatively connected to the content analyzer that permits a user to interact with the content analyzer (Figs. 4-5; cols. 11-15); and a display device communicatively connected to the content analyzer for displaying a result of analysis of the content data performed by the content analyzer (Figs. 4-6; cols. 17-18) wherein, according to the set of machine-readable instructions, the processor of the content analyzer analyzes the content data to extract and index one or more stories related to the query criteria (Figs. 1-2; cols.

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4-7) and wherein, the processor of the content analyzer uses the query criteria to spot a subject in the content data, extract one or more stories from the content data, resolve the inference names in the extracted one or more stories, and display a link to the extracted one or more stories on the display device (Figs. 1-2, col. 9, cols. 17-18) and wherein, in addition to displaying the link to the extracted one or more stories, the content information about the subject to display one or more links to a shopping web-site, such that the user can purchase goods related to the subject (Figs. 1-2; col. 9. cols. 17-18 - sale to users).

Wactlar discloses that the names in the extracted stories are resolved and inferenced using ontology (cols. 4-5, col. 7).

Wactlar discloses that if more than one store is extracted the processor indexes the stories according to name, topic and keyword (cols. 4-5, and 7-11).

Wactlar discloses that the stories are further ordered based on causality relationship and/or temporal relationship and/or alphabetically (cols. 7-11).

Wactlar discloses that the query criteria includes a request input by the user through the input device and the processor analyzes the content data according to the request and a user profile, which includes information about the user's interests, which can be updated by integrating information in the request with existing information in the user profile (cols. 14-15 and 17-18).

Wactlar does not disclose a content analyzer comprising a person spotting function that can extract faces, speech, and text but Thomas discloses a processor of the machine-readable instructions that extract faces, speech, and text from the content data, makes a first match for the extracted faces, makes a second match of known voices to the extracted speech, scans the

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extracted text to make a third match to known names, and calculates the probability of a particular person being present in the content data base on the first, second, and third matches (page 2, [0018] – [0019], page 4, [0052] – [0053]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the content analyzer the make matches for the speech, text, and face as taught by Thomas into the system of Wactlar because it would provide an improved system and method for organizing, retrieving and viewing media content on an automatic personalized basis (page 2, [0012]).

Claim 15 is rejected for the same reasons set forth above in claims 9, and 12-13.

Wactlar discloses a person spotting function that matches known faces to extracted faces, known voices to extracted voices, scans the extracted text to match known names and calculates a probability of a particular person being present (Fig.6; cols. 11-13, cols. 17-18).

Wactlar discloses that the content analyzer is communicatively connected to a second information source for providing access to additional content data, the additional content data being analyzed for relevant stories (Fig. 1 - Extra Footage, New Video Footage; col. 6 - it is preferable that the raw video material incorporates not only television footage but also the unedited source materials, shown generally as extra footage - raw material could also include pure text, audio only or video only).

As per claims 20 and 21, Thomas discloses an information tracker wherein the content data is an audio signal and wherein the information source is a radio station (fig. 1, 101).

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It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the audio signal as taught by Thomas into the system of Wactlar for the same reasons given in claim 1.

As per claims 22-25, Thomas discloses a system wherein the content analyzer is communicatively connected to a second information source for providing access to additional content data, the additional content data being analyzed for relevant stories (fig. 1, 101, 102, 103); wherein the additional content data is analyzed according to a first approach wherein terms are extracted from the query criteria and used to pose a search request of the second information source (page 2, [0019]), and a second approach wherein one or more sites provided by the second information are scanned for matching stories (see claim 1).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize the query approach and the scanning approach as taught by Thomas into the system of Wactlar for the same reasons given in claim 1.

Method claims 28-36 and 38 are rejected for the same reasons set forth above.

Wactlar discloses that indexing occurs according to predetermined criteria, extracting a causality relationship, and extracting a temporal relationship, calculating a rating for each of the extracted stories from one or more characteristics of the extracted stories and prioritizing the extracted stories (cols. 4-5, cols. 7-11).

Wactlar discloses creating a hyperlinked index (cols. 4-5 and throughout - discloses that the system is utilized on-line and on the Internet and thus would be hyperlinked).

Wactlar discloses that the content analyzer is centrally located and the user accesses the content analyzer via a communications network (cols. 4-5 and throughout - discloses that the system is on-line and on the Internet).

Information tracing retrieval system claim 39 is rejected for the reasons set forth above.

Response to Arguments

4. Applicant's arguments filed 10/28/2005 have been fully considered but they are not persuasive.

Applicant's arguments about Wactlar failing to teach "a person spotting function of the machine-readable instructions that extract faces, speech, and text from the content data, makes a first match of known faces to the extracted faces, makes a second match of known voices to the extracted speech, scans the extracted text to make a third match to known names, and calculates a probability of a particular person being present in the content data based on first, second, and third matches." In response to Applicant's arguments, a new reference (Thomas) is cited to disclose the missing limitations in Wactlar. All other arguments from Applicant are moot since those references are no longer used in the Office action. Claims 1-39 remain rejected.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Laneau whose telephone number is (703) 305-3973. The examiner can normally be reached on Mon-Fri from 8:30am - 6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ronald Laneau

Ronald Laneau
Examiner
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2/9/06

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